

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NIDEC CORPORATION,
Plaintiff,
v.
VICTOR COMPANY OF JAPAN, *et al.*,
Defendants.

No. C-05-0686 SBA (EMC)

ORDER GRANTING PLAINTIFF'S MOTION TO SHORTEN TIME

VICTOR COMPANY OF JAPAN, *et al.*,
Defendants.
(D)

15 Nidec has moved to strike or, in the alternative, compel the testimony of Forest Titcomb and
16 has asked that this motion be heard on shortened time. Nidec argues that shortened time is needed
17 because JVC relied on the testimony of Mr. Titcomb in support of its motion for summary judgment
18 and Nidec's opposition to the summary judgment motion is due on February 7, 2006. JVC opposes
19 the request for shortened time, arguing, *inter alia*, that the request is "disingenuous when Nidec
20 could have raised the issue much earlier." Opp'n at 2 n.1.

21 Nidec's request for shortened time is hereby **GRANTED**. That Nidec could or should have
22 raised the issue well before the close of discovery is beside the point. The primary relief sought by
23 Nidec -- *i.e.*, the striking of Mr. Titcomb's testimony -- would be moot if the motion were not heard
24 on an expedited basis.

25 Accordingly, Nidec's motion to strike or, in the alternative, compel shall be heard on
26 **January 31, 2007, at 10:30 a.m.** The opposition brief shall be filed no later than 12:00 p.m. on
27 January 22, 2007. The reply brief shall be filed no later than 12:00 p.m. on January 26, 2007.

28 Courtesy copies of the opposition and reply briefs and all supporting documents -- including

1 any sealed briefs or documents -- shall be hand delivered to chambers on the dates and times
2 specified above.

3 This order disposes of Docket No. 461.
4

5 IT IS SO ORDERED.
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7 Dated: January 17, 2007
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EDWARD M. CHEN
United States Magistrate Judge

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19 United States District Court
20 Footnote entered electronically
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